

E.D.N.Y. - Bklyn
16-cv-4756
17-cv-5228
Garaufis, J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 31st day of January, two thousand eighteen.

Present:

Robert D. Sack,
Debra Ann Livingston,
Christopher F. Droney,
Circuit Judges.

Kirstjen M. Nielsen, Secretary of Homeland Security, et al.,

Petitioners,

v.

18-122

Martín Jonathan Batalla Vidal, et al.,

Respondents.

Donald J. Trump, President of the United States, et al.,

Petitioners,

v.

18-123

State of New York, et al.,

Respondents.

Petitioners move, pursuant to 28 U.S.C. § 1292(b), for leave to appeal an order of the district court denying their motion to dismiss these two district court actions for lack of jurisdiction. The parties request that the petitions for leave to appeal be held in abeyance until the district court rules on pending motions for injunctive relief and dismissal. Upon due consideration, it is hereby ORDERED that the petitions for leave to file are held in abeyance pending the district court's adjudication of the parties' pending motions. Once the district court has decided the parties' pending motions, the Clerk of Court is directed to place the motion for leave to appeal the district court's orders on the calendar for the next available panel.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court




A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit


